

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:00-00215

JAMES MICHAEL HILL

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On April 3, 2012, the United States of America appeared by Maryclaire Akers, Assistant United States Attorney, and the defendant, James Michael Hill, appeared in person and by his counsel, Edward H. Weis, Assistant Federal Public Defender, for a hearing on the petition on supervised release submitted by United States Probation Officer Patrick M. Fidler, the defendant having commenced an eighteen-month term of supervised release in this action on February 11, 2011, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on October 27, 2009.

The court heard the evidence, admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) that the defendant, on or about October 18, 2011, violated federal and state law inasmuch as he was pulled over by members of the Ohio State Highway Patrol at which time there was found a computer bag in the rear seat of the vehicle containing cocaine base weighing 9.65 grams and cocaine in the amount of 597.71 grams, the court having found after hearing the evidence that the defendant possessed the cocaine base and cocaine with the intent to distribute as more fully set forth on the record of the hearing; and (2) that the defendant left the judicial district without permission inasmuch as he was arrested on October 18, 2011, near Chillicothe, Ohio, for the above-referenced offense, as admitted by him on the record of the hearing; all as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not

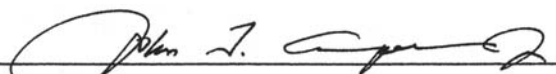
revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, on the basis of the original offense, the intervening conduct of the defendant and after considering the factors set forth in 18 U.S.C. § 3553(a), that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of SIX (6) MONTHS.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: April 9, 2012



John T. Copenhaver, Jr.
United States District Judge